

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ OCT 12 2018 ★

BROOKLYN OFFICE

Mr. Jeffrey Williams 349-18-06053
Eric M. Thomas Center c-76
10-10 1st Avenue Street 8 upper
East Elmhurst, N.Y. 11370
N.Y.S.T.D. 044176480
9-22-18

Sir,

I ask but one thing from your honor and that is a quick perusal of the enclosed document. Certainly I am aware there is not much you can do by way of helping me, but I would like to draw attention to a piece of Judicial Misconduct that is totally horrendous. That a Judge could do something so dishonorable and that others could be silent for near 30 years is amazing. Certainly this is a crime against my person, but it also rivals a crime against humanity. I have had the privilege of reading many of your poignant decisions and have come to regard you as a true hero and a champion of Justice. I just want some semblance of my true Americanism back and perhaps by drawing attention to my plight I may one day be able to do so. I am but one man but I will not waiver until someone someday helps a noble cause and expose this criminal act. There is no way any jurist certainly one who has risen as high as a judge could be so unfamiliar with the law, certainly this is the act of a man who neither cared for the laws of this land, nor the Civil rights of this man. He had to realize he was wrong in so many ways. My civil liberties have been so greatly affected that my citizenship has been rendered void. I am consistently violated for parole and I have lost much by way of family and friends. Many believe I should just let it go already but tell anyone who has lost someone they have to let it go already tell a person whose life has been stripped of them to let it go already. I say its time to expose this crime and make the criminals responsible.

Citizen respectfully,
Jeffrey Adler

1. I Jeffrey Williams being deposed of sound mind and able body say:
2. I submit this to the State Commission on Judicial Conduct as it relates to the judicial misconduct of Justice Alvin Schlessinger who is or was a Justice of the Supreme Court, New York County part 93 in the years 1991 - 1992.
3. That said Justice Alvin Schlessinger persisted over a matter as it concerns me as in relation to a criminal matter under the indictment # 2350191.
4. That I am a lay person unskilled in matters of the law I seek this forums indulgence as it relates to form and content, errors, etc., pursuant to sections 103(c) and 7101(f) of the civil practice law and rules.
5. That the conduct complained of herein still affect the complainant Jeffrey Williams and that Jeffrey Williams is currently being detained on a Parole Warrant make this complaint effective.

Charges

1. That said Justice Alvin Schlessinger did employ his influence from the bench to help further a sham prosecution which did deprive Jeffrey Williams of his Constitutional and Civil rights.
2. That said Justice Alvin Schlessinger created a tremendous conflict of interest when he erroneously adopted the stance of legislature, Prosecutor, and Judge.
3. That Justice Alvin Schlessinger abandoned his ministerial duties as an officer of the court sworn to protect the integrity of the court by allowing behavior not in accordance with the law, by further such behavior through active engagement.

continued

4. That Justice Alvin Schlessinger either did not have adequate knowledge of the Criminal Procedure Law, or a written disregard and apathetic regard for said law and it's administration.
5. That there are other Ethical Canons as they exist, not mentioned by this layperson, either through neglect or ignorance that I beg this Commission's assistance in deciding, which others may be appropriate.

History of the case.

1. Jeffrey Williams was arrested on or around January 20th 1991 in direct relationship to an incident that occurred on 34th street.
2. On the 80-81 day no Grand Jury action had been taken and Jeffrey Williams was released on Recognizance.
3. In February, on or around the 20th Jeffrey Williams was arrested on another matter unrelated to the January 20th incident. Once again there was no Grand Jury action and ROR was fixed, however, the Division of Parole violated him.
4. In March, on or around March 05 1991, the Grand Jury New York County voted a true bill in the January 20th 1991 matter and the Prosecutor filed the indictment on or around March 06, 1991. Under indictment # 2350/91
5. On March 06 or around, the case was calendared for arraignment in part 0950.
6. On May 28, 1991 after Jeffrey Williams had failed to report on several earlier scheduled dates the court issued a Bench Warrant, on Indictment # 2350/91. This was a Pre-Indictment Bench warrant.
7. On or around June 10th 1991 the person of Jeffrey Williams was delivered to the Supreme Court New York County part 093 however he was never produced.

8. On or around January 13th Indictment # 2350191 as it relates to Jeffrey Williams was calendarized for C.P.C. 30.30 motion as it relates to Speed Trial.

8(a) The person of Jeffrey Williams was produced into the courtroom for said hearing. The judge denied motion citing Pretrial motion practice of attorney and other trivial matters. To which I objected citing that I had not yet been arraigned.

8(b) Upon inspection of the court file it was discovered that I had in fact not been arraigned. To which the judge said he would arraign me there and then. (Note the People had announced their readiness on the record prior to this discovery.)

1. In New York State the Court system is under the Unified Court System. The Chief Administrator of the Courts having been given the power by the Constitution on behalf of the Chief Judge responsibility for supervision the administration and operation of our courts.

2. This Administrators having implemented what is the Individual Assignment System the power to implement such deriving from the Constitution.

3. This Individual Assignment System controls absolutely how all criminal actions Supreme or Criminal shall be heard or disposed of in accordance therewith (uniform rules § 700.11) unless otherwise provided by the direction of the chief Administrator.

4. That the Chief Administrator has in an attempt to create continuity devised several different courts to perform specific functions in this system. There exist an Arraignment- Conference Court directly responsible for seeing to arraigning defendants and scheduling future dates based off the inability to resolve the issue.

4. If the defendant elects to plead guilty then the matter is resolved, however if the defendant pleads not guilty then the court must arrange further proceedings. Set motion practice, and prepare for trial.
5. Not to be confused with the arraignment the plea can be entered at any time however, no motion schedule can be ascertained, until plea is given.
6. The case is then delivered to an assigned Judge whose job it is to conduct all further proceedings, which include Preliminary Conference motion practice, etc.

Criminal Procedure (Law)

1. Since December 1st 1895, the Supreme Court has been the state court of general subject matter jurisdiction.
2. It is a multi-tiered court which finds its chief interpretation from the Court of Appeals.
3. It is that court which gave power to the Uniform Court system that currently exist.
4. However the law of Procedure lies predominantly on the C.P.L. If ever the two should be in opposition of each other it is the C.P.L. which governs Section 1.10 states that the C.P.L. Shall apply to all criminal actions and proceedings including appeals and post-judgment proceedings related thereto.
5. It is the C.P.L. which governs jurisdiction and imposes such jurisdiction on certain courts. The C.P.L. also streamlines the procedure of the surviving courts.
6. The laws or Amendments embodied in the New York state constitution find a method of expression through the C.P.L. and there are the strict adherence to these laws are imperative.

Summary

1. The Criminal procedure law is largely

grounded in it's constitutional safeguards. safeguards that grant civil rights and preserve freedom for all.

1. The C.P.L. specifically grants that after an Indictment has been filed with a local Superior Court that the Indicted person be arraigned on the Indictment. This is not a waivable issue and neither can it be compromised. The defendant must be present and apprised of the charges to be tried against him. The right to counsel does attach and the defendant can elect to proceed without counsel however counsel can not proceed without defendant. Since the defendant is the chief principal that the Unified Court System has employed to it's ussage the Individualized Assignment System the March 20th 1991 court date of Jeffrey Williams, in part 50, was to be his arraignment date.
2. That Jeffrey Williams did not appear at the court date and was believed, erroneously, to be out on R.O.P would have assured the case stay in the arraignment part until Jeffrey Williams was made to appear in the courtroom.
3. However on May 08 1991 the court issued an Pre-Indictment warrant against Jeffrey Williams. This warrant was not only issued erroneously but in one instance was said to be illegal. (People v. Frederick 585, NYS2d 982) Since Jeffrey Williams was being housed adjacent to the criminal court building as a parole violator.
4. Since the Judge had to know his courtroom was assigned the designation of a trial part by the I.A.S. System that he ordered this illegal warrant is strange. Certainly the issuance of the warrant rescinded the bail status R.O.P or rather Securing order, but it achieved this without producing the defendant.
5. Furthermore the judge should have inquired how this snafu

Was allowed to occur. Since the C.R.C. expressly required that the arraignment occur without necessary delay and it was now a full two months since the indictment had been filed.

On June 10th the case was calendared for arraignment. At the very arraignment the judge issued pre-arrangement warrant for however, the person of Jeffrey Williams was not produced however a new securing order of Remand was given. Certainly there was no need to issue a remand securing order. I was being held on a Parole Violation already so I would be in jail anyhow, so that the judge issued the remand is strange. Especially when you take into account the remand is a securing order and that securing orders are only issued after arraignment on Indictment. This too then is illegal because it creates an effect of kidnapping.

Instead of arraigning me as the court date was for, the court kept going in sequence, as to give off the "Presumption of Regularity". Pre-trial motion practice was scheduled and I was given several other court dates. However, I was never produced on any of these court dates.

It is the right of an accused to plead guilty to an Indictment at arraignment unless the Indictment charges Murder. However, the plea is not a part of the arraignment.

It is the plea, however, that determines if or not the matter will be resolved or if a fact finder is necessary. If this is so and the defendant had not yet entered a plea or been arraigned, that the court scheduled motion practice is odd. It would follow that some crystal ball allowed the court to know I would plead not guilty and so a fact finder (trial) would ensue, or better yet the court was forcing the defendant to go to trial, which is unethical behavior.

There is no precedent that allows a court to entertain a motion submitted on behalf of unarraigned

person when it deals with dismissal, neither is it premissible by the C.P.L. to submit motions before arraignment. The C.P.L. only allows pre-trial motions to be filed up till 45 days after arraignment on indictment. That prior to my arraignment the court had allowed pre-trial motions to be filed is the equivalent of not having had that opportunity. This was totally outside the scope of the C.P.L. and as illegal as the other behavior described.

Nevertheless, when you focus on motions to dismiss that the Judge entertained said motion ~~to~~ to dismiss C.P.L. 30-30 speedy trial motion being one such motion even before the accused had been arraigned makes that hearing illegal as well as null and void is a matter of grave consequence. That I objected immediately upon his decision makes it against my will, that he did not re-evaluate his decision makes it illegal even now and in fact criminal.

Until my arraignment he was totally without authority to hear said motion certainly at that moment he was sitting as an usurper and outside his capacity, and in doing so was abusing his authority. That he allowed his erroneous decision to remain as is even after he agreed I was in fact not arraigned shows a callous disregard ~~to~~ of the procedure laws as well as a disregard to the civil rights of Jeffrey Williams.

He then decided to arraign me then and there, without two days notice to me and my attorney and despite the C.P.L. requiring such. He continued in this capacity although it was the prosecutor who was responsible for arranging such as is the practice in the first Department. In doing so he was legislating, prosecuting, and judging over the law and my case and making a theocracy of the bench. It is further to be said that this arraignment occurred a full 10 months after the prosecutor had filed his indictment and well past the speedy trial time

prescribed by the constitution of the United States and New York State which certainly made it illegal.

That in accordance with the T.A.S. it was another court pt 60 that was responsible for seeing to this arraignment lends an air that the Judge Alvin Schlessinger was replacing his authority with the chief Administrators authority. Furthermore Arraignment is an occasion and occasions are scheduled as the 5 prior arraignment dates reflect. Arraignment can not be clandestine behind closed doors outside of the ear and eyes of the public and certainly a record should be kept starting with it's scheduled date.

With the above occurrence the arraignment is on nullity. It was not scheduled. No notice (2 days) had been given. It was pronounced and scheduled by a person other than the prosecutor and performed by the same person, and most of all it was held outside of the Constitutional rights of New York State.

With this being said the person of Jeffrey Williams has not then been arraigned and that makes him being 28 years a slave. Certainly Jeffrey Williams objected to this sham procedure, by objecting to the 30.30 Speedy trial decision.

That not even defense counsel spoke a word upon this objection to the decision suggest something sinister. Certainly my being correct changes everything and all except Jeffrey Williams were lawyers sworn to protect the integrity thereof, that such an egregious civil deprivation was taking place should have raised a cry yet everyone remained silent and allowed this behavior (Prosecution) to continue. Certainly the court should have asked for an adjournment to look into what should happen in this case but elected to continue with the presumption of Regularity. suggest a conspiracy.

Surly the person of Jeffrey Williams has lost tremendously by this illegal prosecution. His constitutional

and civil rights have been so severely affected as to render his citizenship frivilous. That he may be returned to prison for the slightest constitutional right is a severe blow to his dignity as that dignity expresses itself through belonging to a society.

That he lost all these valuable rights to a sham and criminal prosecution is a slap in the face. He can not leave the (5) boroughs of New York, has to be in the house before 9:00 pm - and can not leave earlier than 2:00 AM. His person and/or home is not safe from search and seizure; he until recently could not vote, run for public office, ascend to presidency, possess a firearm, or enjoy alcohol.

That the reason he can be sent to prison to suffer long time keeps this crime current means, that the statute of limitation has not, and does not toll, and leaves him all but frivilous in the place of his birth.

That such severe deprivations were due to affect him should make the level of prosecution, defense, and judging should have not spared no expense. The condition of civil loss is a matter and others similarly situated call civilide, and so it is the equivalent of a man who may be tried under capital punishment. Certainly they must be performed every safe guard to protect due process for loss of life, but due process for loss of liberty and property are equally as important, and a sentence from 1 day to life is the equivalent of a death sentence.

So the most valuable thing lost by me from this conviction was not my freedom but rather my loss of liberty as it expresses itself through my civil rights. A life breaking but dead through loss of rights. Loss that make my freedom uncertain as I am able to be taken advantage of by any who choose.

Justice Tanney in the 1800's said all Americans are brothers, yet isn't it curious that one brother can not enjoy the freedoms of his country and that another or others

conspired to make this happen. Others who had risen to the lofty positions that require an oath, who no doubt underestimate the will of Jeffrey Williams and the American people to be able to properly articulate the crimes they perpetrated.

At least I pray I have. I have lived with this condition for 28 years, I have attempted to understand and articulate what I know was wrong, but I have never lost faith that one day my story would get out. I remember the words of President William Lloyd Garrison still an abolitionist at this time when he said:

let Southern oppressors tremble -
let their secret abettors tremble - let all
the persecuted blacks tremble. . . I will
be as harsh as truth and as uncompromising
as justice. On this subject I do not wish
to think, or speak, or write with moderation.
Tell a man whose house is on fire to give
a moderate alarm - I am in earnest - I will
not equivocate - I will not excuse - I will
not retreat a single inch - And I WILL BE
HEARD

William Lloyd Garrison
I will stay at it until one day somebody, if on
my dying bed, understands that what happened to me
is not American justice and we as a country
categorically rebuke all involved. Tonight I make
this request of you all with the prayer I will
be vindicated. Even a guilty man must be given
his conuppance in accordance with law.
Wherefore I pray for a favorable outcome
from your Honors concerning this matter a reman

9/14/18

A citizen

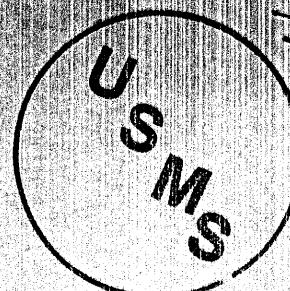
Jeffrey Williams

U.S. POSTAGE PAID
FROM NEW YORK
TO NEW YORK
11369
OCT 10 18
AMOUNT
\$1.42
R2305K135028-14



1000 11201

Mr. Jeffrey Williams 349-18-06053
Eric M. Thomas Center C-76
10-10 Elstern Street Supper
East Elmhurst, N.Y. 11370



Honorable Jack Weinstein

U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201